

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims

Claim 1. (Previously Presented) A vial comprising an outer wall, said outer wall being straight, cylindrical and having a central axis, an inner cavity, said inner cavity being curved, and having a central axis which is curved and spaced away from the central axis of the outer wall, said inner cavity being curved in a substantially uniform arc having a single apex and having a uniform axial diameter throughout its length, opposed ends spaced from the apex and opposed spaced sides, planes tangent to said opposed spaced sides are at an angle of 90 degrees from the apex, the apex of the curved inner cavity being closer to the cylindrical outer wall of the vial than the opposed ends of the inner cavity, said inner cavity is substantially uniform in cross section throughout its length, planes tangent to the sides of the cavity are parallel to each other and at right angles to a plane tangent to said apex, one end of said cavity terminates in an end wall perpendicular to the said outer wall, said end wall having inner and outer faces parallel to each other, the other end of said cavity is open and wherin a cap is adapted to close the said open end, and orienting means which extend from and are integral said outer walls to permit proper orientation and mounting of the vial in a level and to prevent rotation of the vial when mounted in a level, said orienting means extending outwardly away from said outer walls in a direction away from said inner cavity.

Claims 2-7 (cancelled).

Claim 8 (Previously Presented) The vial as set forth in claim 1 wherein said orienting means comprise a pair of keys which extend from and are integral with the outer wall of said vial adjacent said open end, said keys extending in opposite directions away from each other.

Claim 9 (Previously Presented) A vial comprising an outer wall, said outer wall being straight, cylindrical and having a central axis, an inner cavity, said inner cavity being curved, and having a central axis which is curved and spaced away from the central axis of the outer wall said inner cavity being curved in a substantially uniform arc having a single apex and having a uniform axial diameter throughout its length, opposed ends spaced from the apex and opposed spaced sides, planes tangent to said opposed edges are at an angle of 90 degrees from the apex, the apex of the curved inner cavity is closer to the cylindrical outer wall of the vial than the opposed ends of the inner cavity, the said cavity is substantially uniform in cross section throughout its length, planes tangent to the sides of the cavity are parallel to each other and at right angles to a plane tangent to said apex, one end of said cavity terminates in an end wall, the other end of said cavity is open and wherein a cap is adapted to close the said open end, a pair of keys extend from the outer wall of said vial adjacent said open end, said keys extending in opposite directions from each other, each of said keys have edge and side walls at right angles to each other, each of said walls being tangent to the outer wall of the vial with one of said walls being parallel to the plane tangent to the apex of the cavity.

10. (Original) A vial as set forth in Claim 9, wherein a pair of flanges extend from said vial adjacent said open end in directions opposite from each other and opposite to the directions of the keys.

11. (Original) A vial as set forth in Claim 10, wherein each of said flanges has a straight wall tangent to the outer wall of the vial and on the same plane as the plane of a side wall of the keys and a curved surface extending from the end the straight wall to the outer wall of the vial, said curved surface conforming to the curvature of the outer wall of the vial.

12. (Cancelled).

13. (Previously presented) A level having a pair of opposed parallel rails, a web perpendicular to said rails and connecting the rails together, a vial-receiving opening in said web, said vial-receiving opening having opposed notches therein, said opposed notches having an end wall and spaced side walls at right angles to said end wall, at least one vial mounted in said vial-receiving opening, the opposed ends of the vial being mounted in the opposed notches, said vial comprising an outer wall, said outer wall being straight, cylindrical and having a central axis, an inner cavity within said vial, said inner cavity being curved and having a central axis which is curved and spaced away from the central axis of the outer wall, and orienting means are provided in said outer wall to permit proper orientation and mounting of said vial in the notches in said vial-receiving opening, the inner cavity is curved in a substantially uniform arc having a single apex and having a uniform axial diameter throughout its length, opposed ends spaced from the apex and opposed spaced sides at an angle of 90 degrees from the apex, the apex of the curved inner cavity is closer to the cylindrical outer wall of the vial than the ends of the inner cavity and wherein a plane tangent to said apex is parallel to said rails, the said cavity is substantially uniform in cross section throughout its length, planes tangent to the sides of the cavity are parallel to each other and at right angles to a plane tangent to said apex, one end of said cavity terminates in an end wall perpendicular to said outer wall, said end wall having inner and outer faces parallel to each other, the other end of said cavity is open and wherein a cap is adapted to

close the said open end, said orienting means comprise a pair of keys extending and integral with the outer wall of said vial adjacent said open end, said keys extending in opposite directions away from each other and from said outer walls in a direction away from the inner cavity, said keys adapted to be received in the opposed notches, thereby preventing rotation of the vial when mounted in the level.

Claims 14-19 (Cancelled).

Claims 20. (Previously Presented) A level having a pair of opposed parallel rails, a web perpendicular to said rails and connecting the rails together, a vial-receiving opening in said web, said vial receiving opening having opposed notches therein, said opposed notches having an end wall and spaced side walls at right angles to said end wall, at least one vial mounted in said vial-receiving opening, the opposed ends of the vial being mounted in the opposed notches, said vial comprising an outer wall, said outer wall being straight, cylindrical and having a central axis, an inner cavity within said vial, said inner cavity being curved and having a central axis which is curved and spaced away from the central axis of the outer wall, and orienting means are provided in said outer wall to permit proper orientation and mounting of said vial in the notches in said vial-receiving opening, the inner cavity is curved in a substantially uniform arc having a single apex and having a uniform axial diameter throughout its length, opposed ends spaced from the apex and opposed spaced sides at an angle of 90 degrees from apex, the apex of the curved inner cavity is closer to the cylindrical outer wall of the vial than the ends of the inner cavity and wherein a plane tangent to said apex is parallel to said rails, the said cavity is substantially uniform to cross section throughout its length, planes tangent to the sides of the cavity are parallel to each other and at right angles to a plane tangent to said apex, one end of said cavity terminates in an end wall perpendicular to said outer wall, said end wall having inner and outer

faces parallel to each other, the other end of said cavity is open and wherein a cap is adapted to close the said open end, said orienting means comprise a pair of keys extending from and integral with the outer wall of said vial adjacent said open end, said keys extending in opposite directions away from each other and from said outer walls in a direction away from the inner cavity, said keys adapted to be received in the opposed notches, thereby preventing rotation of the vial when mounted in the level.

Claim 21. (Previously Presented) A level as set forth in Claim 20, wherein each of said keys have edge and side walls at right angles to each other, each of said walls having an end edge, said end edges being tangent to the outer wall of the vial with one of said walls being parallel to the plane tangent to the apex of the cavity, said edge and side wall adapted to abut the end and side walls of the notches.

Claim 22. (Original) A level as set forth in Claim 21, wherein a pair of flanges extend from said vial adjacent said open end in directions opposite from each other and opposite to the directions of the keys.

Claim 23. (Original) A level as set forth in Claim 22, wherein each of said flanges has a straight wall tangent to the outer wall of the vial and on the same plane as the plane of a side wall of the keys, a curved surface extending from the end the straight wall to the outer wall of the vial, said curved surface conforming to the curvature of the outer wall of the vial.

Claim 24. (Original) A level as set forth in Claim 23, wherein a pair of vials are mounted side-by-side in said vial-receiving opening with the ends of vials mounted in said notches.

Claim 25. (Original) A level as set forth in Claim 24, wherein the keys and flanges at the end of one vial are mounted in one notch and the keys and flanges at the end of the other vial are mounted in the other notch.

Claims 26-42 (Cancelled).

Claims 43. (Previously Presented) A method of making a vial having an outer wall and an inner cavity comprising the steps of forming the outer wall in a straight cylindrical configuration, forming the inner cavity of the vial in a curve, said inner cavity and the outer straight cylindrical wall being formed simultaneously, the inner cavity being formed curved in a substantially uniform arc having an apex with opposed ends spaced from the apex and with opposed spaced sides at an angle of 90 degrees from the apex, the apex of the curved inner cavity is formed closer the cylindrical outer wall of the vial than the ends of the inner cavity, the said cavity is formed substantially uniform in cross section throughout its length, planes tangent to the sides of the cavity are formed parallel to each other and at right angles to a plane tangent to said apex, one end of said cavity is formed terminating in an end wall, the other end of said cavity if formed open, a pair of keys are formed extending from the outer wall of said vial adjacent said open end, said keys extending in opposite directions from each other, each of said keys is formed with edge and side walls at right angles to each other, each of said walls having an end edge, said end edges being tangent to the outer wall of the vial, with one of said walls being parallel to the plane tangent to the apex of the cavity.

Claim 44. (Original) A method as set forth in Claim 43, wherein a pair of flanges are formed extending from said vial adjacent said open end in directions opposite from each other and opposite to the directions of the keys.

Claim 45. (Original) A method as set forth in Claim 44, wherein each of said flanges is formed having a straight wall tangent to the outer wall of the vial and on the same plane as the plane of a side wall of the keys and a curved surface extending from the end the straight wall to the outer wall of the vial, said curved surface conforming to the curvature of the outer wall of the vial.